HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no. 395 of 2006 (SS)

Constable 160 Vinod Kumar R/o
Village Kashekha Khurd, Tehsil Samli
District Muzafarnagar ..... Petitioner

Versus

1. State of Uttaranchal
2. Director General of Police, Uttaranchal
3. Senior Superintendent of Police, Dehradun
4. Station House Officer, P.S. Raiwala
5. Union of India
6. Director General of Police, U.P. ..... Respondents

Sri M.C. Pant, Advocate for the petitioners.
Standing Counsel for respondents.

Dated: 23.3.2006

Hon'ble Rajesh Tandon, J.

Heard Sri M.C. Pant, counsel for the petitioner and Standing counsel for the respondents.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the transfer order dated 1.3.2006 passed by respondent no. 3.

Briefly stated, the petitioner was appointed in U.P. Police as a constable and at present posted at Police Station, Railwala. After creation of State of Uttaranchal, petitioner gave his option for State of U.P. as the entire family of the petitioner is residing in the State of U.P. According to the petitioner, respondents no. 6 Director General of Police, U.P. has already allotted postings to the police personnel opted for State of U.P. vide office order dated 15.7.2004 and 5.11.2004. The grievance of the petitioner

is that instead of relieving the petitioner for State of U.P. he has been transferred to Uttarkashi. The mother and father of the petitioner are of old age and his wife is living with his parents at Samli.

In view of the above, liberty is given to the petitioner to prefer a representation to the appropriate authority for setting aside his transfer order and for relieving him for the State of U.P. within 15 days after obtaining certified copy of this order, who shall decide the same within six weeks thereafter. In the mean time transfer order shall remain in abeyance for a period of two months.

Dated: 23.3.2006 **Rajesh Tandon, J.**

*Dhyani